

# Steamer Table.

From S. F.	Apr. 15
Gaelic	Apr. 16
Sierra	Apr. 16
For Sydney.	Apr. 12
Aorangi	

# If you want anything you can get it quicker

# EVENING BULLETIN

By use of BULLETIN "Want Column"

THE IMPRESSION seems to prevail that advertised goods cost more than those not advertised. The very opposite of this is true. Why? Because the larger the quantity of goods produced, the cheaper they can be produced.—HON. ELIJAH A. MORSE

VOL. X. No. 2120.

HONOLULU, TERRITORY OF HAWAII, SATURDAY, APRIL 12 1902

PRICE 5 CENTS.

## ANOTHER SIDE OF CONSPIRACY CASE

Deputy Sheriff Chillingworth Makes His Own Statement.

SAYS HE GAVE HELP TO ASSISTING ATTORNEYS

Interpreter and Witnesses Sent to Office But Were Told to Go and No Questions Were Asked.

Deputy Sheriff Chillingworth, prosecuting officer for the government in the conspiracy case, was seen this morning with reference to the charges of non-assistance made against the police department by Attorneys Gill and Farley in connection with the conspiracy cases which were dismissed in Judge Wilcox's court yesterday forenoon. He gave the whole case in detail as follows:

"On Friday night a week ago, Special Officer Ah On came to my house and informed me that there was a big scrap on near the insane asylum and that the Tong Too had enticed the See Yups into a house of ill-fame in order to 'do them up.' There was to be a big dinner at the place.

"I took Lieut. Leslie, Officer Haumea and Special Ah On and went to the place. The Chinese were in the house and they were eating. We saw other Chinese doing around outside and saw one man packing away the woman of the respectable house. We gave chase and rounded up the Chinamen. On their persons were found short iron pipes and knives. The woman was also in possession of a knife. We took the Chinamen to the police station and charged them with conspiracy, according to the information which we had received. The woman was charged with keeping a disorderly house and the man who had her in his possession was charged according to the facts.

"We were ready for trial on Monday afternoon. At that time Mr. Gill informed me he had been retained as attorney for the prosecution. I was perfectly willing. Clerk Harry Mossman made out the complaints for the simple reason that Gill did not know how to make them out.

"The attorneys, Messrs. Gill and Farley, claim they were around here to see me. I was out for a short time in the afternoon and it may be they called at that time.

"On Wednesday I called at the attorney's offices and had a talk with them. I told them what I knew and said that Ah On had the witnesses. They said it was all right and asked me to add them by asking for a continuance. This I said I would do.

"Judge Wilcox said he would grant a continuance after at least one case had been tried. As a matter of fact two cases came up and were nolle prosequi. Gill notified the court, and this is a matter of record, that he was assisting the prosecution in all the cases. This is a fact to pay particular attention to and, as I said before, it is on record. Everybody understood this.

"Mr. Gill again asked for a continuance in all the remaining cases. The court answered that the attorneys for the prosecution ought to be ready. Mr. Gill answered that the witnesses were out of town. Mr. Brooks, attorney for the defense, asked if subpoenas had been issued. The answer was negative. Mr. Gill stating that he could get the witnesses without subpoenas.

"The court forced the prosecution to trial. I suggested that the case of keeping the disorderly house be called up. Mr. Gill said he had not had time to look up the matter. I was asked to help out and I did so.

"After this case was over, Mr. Gill made another fight for a continuance. The court wanted to know what had

been done in the other cases but finally a continuance was granted.

"I sent Ah On and the witnesses in the case to the offices of Messrs. Gill and Farley in the afternoon of the same day and told Ah On that, in case these men so desired, he was to act as interpreter.

"My instructions were carried out and after Ah On and the witnesses had waited around for some time, they were notified that they were not wanted and could leave. Not a question was put to them. They left the offices and coming to me told of what had transpired. I couldn't help what had been done. Messrs. Gill and Farley were the attorneys in the case and they could do what they pleased. I considered that I had gone further than was actually necessary in a case where private counsel had been obtained. The two attorneys were supposed to attend to the case and I gave them all the assistance in my power.

"Friday morning, Messrs. Gill and Farley arrived at the police station and, in a conversation with me, said that it was their opinion the case should be left to the grand jury to decide and, if guilty, to indict the men. I replied that this was entirely discretionary with them.

"The charge of conspiracy in the third degree having been lodged against the men, the attorneys said that a mistake had been made. It should be conspiracy in the first degree. I told them that, in my opinion and from my understanding of the case, the third degree charges were proper one. I held that the defendants, from what I had found, had intended to commit an assault and battery and, from the evidence, the offense they intended to commit was a misdemeanor and therefore under the third degree.

"The case was called and Mr. Farley made the statement that there had been no assistance rendered on the part of the police department. Other remarks on the case as they appeared in yesterday's Bulletin, were made by the attorney. These were strenuously objected to by Attorney Brooks who appeared for the defense and the attorneys for the prosecution were severely criticized by the court and Mr. Brooks.

"I took a hand myself and informed Messrs. Gill and Farley that they were not saying what was true and that I was prepared to prove my statements by competent witnesses.

"Mr. Gill thereupon stated that an only appeared in the conspiracy cases. The court stated that the attorney was on record as having said he represented the prosecution in all the cases, including conspiracy and vagrancy.

"The court went further, making the statement that when private counsel was employed, it was the duty of such counsel to prosecute. This duty had been plainly neglected, and this being the fact, he would dismiss the cases for want of prosecution and exonerate the police from all blame.

"This is a plain statement of the facts just as they transpired and they show conclusively that the police department was in no way to blame for the lack of prosecution in the cases referred to. Private counsel representing the prosecution was guilty and entirely to blame for the lack of prosecution. This view is held by Judge Wilcox, as is evident from his remarks myself and Mr. Brooks for the defense."

"It is possible that the police will take up the conspiracy case and do something in the matter, so that the Chinese arrested may yet have a chance to explain their actions of a week ago Friday night.

## SPANIARD FOUND DEAD

The Spanish watchman at the government quarries in Kalihi, was found dead in his cottage in the place this morning. The body was sent to the morgue and on the report of the Board of Health physician will depend the holding or otherwise of a Coroner's inquest. From the indications, death resulted from natural causes. The watchman had been ill for some time and Dr. Alvarez had been attending him.

The death of the man was discovered this morning by laborers who went to the quarry. The watchman was invariably to be seen about the place in the morning and when he was not seen, an investigation on the part of the laborers began at once.

The cottage was entered and there in his room was discovered the watchman, cold in death.

## FULLER WANTS DAMAGES.

This morning Robert M. Fuller through his attorney, J. T. De Bolt, filed before the Circuit Court, a complaint against the Rapid Transit Company in which he asks for damages in the sum of \$10,000 for injuries received by him in a collision which occurred on February 22 this year.

In the complaint it is stated that the plaintiff was a passenger on the electric car when it collided with one of the Hawaiian Tramways Company's cars. In the collision Fuller was badly bruised by being thrown between the two cars. He suffered great injury both physical and mental and was confined to his bed for a long space of time, during which his business was neglected and he had to pay \$50 in doctor's bills.

The plaintiff further states that the Rapid Transit Company was responsible for the accident and consequently asks for damages as mentioned above.

Shiners' picnic at Moanala today. The members and their friends are enjoying themselves on the golf links.

## Republicans Are Loyal TO THE PARTY In Big Ratification Rally

Republicans showed by their general consent to turn out at the big rally last night, their wish to show the people of the Territory their steadfast trust in the principles of the grand old party and the entire satisfaction they felt in the election to the House of Representatives of W. W. Harris, a man who stands unequivocally for these principles.

The size of the crowd of voters that turned out for the purpose of taking part in the rally and of showing their loyalty to the party, demonstrated to everyone that Republicanism has come here to stay. The constant cheering, the brisk step and every other mark of enthusiasm shown by the crowds, demonstrated their entire confidence in the power of the Republican party to win a fight even in the face of combined forces. The demonstration as a whole was a forecast of what the opposition forces must expect at the hands of the Republicans in the coming fall campaign.

Long before the hour announced for the parade to start, crowds gathered about the Opera House on Palace Square and Millant streets while the Territorial band under Captain Berger, played lively airs and kept people in a happy frame of mind.

About 7:45 o'clock, the procession was formed and proceeded to Emma Square with Representative Hoogs acting as Grand Marshal and marching at the head of the column.

The band came next, then members of the Territorial and Fourth District committees marching four abreast and then Representative-elect W. W. Harris between Chairman Kennedy of the Territorial committee and Chairman Gear of the Fourth District committee. Next came a body of men composed mostly of native Hawaiians and numbering in the neighborhood of five hundred. Flanking the band, the committee and the main body were a large number of torch bearers.

The line of march was along King street, to Fort, to Hotel, to Alakoa, and thence to Emma Square. The band marched into the enclosure, mounted the grand stand and, as "The Star Spangled Banner" was played the enthusiastic Republicans marched on around the square and then joined the great throng which had already collected there.

Captain Berger and his boys were kept very busy on the way to the square. No sooner did they stop playing one march than there were cheers and a call for "More, more." Captain Berger, ever willing to please, did as he was requested and so everyone was satisfied.

## Cheers for the Bulletin.

An incident of the triumphal march of the Republicans was the giving of three hearty cheers for the Bulletin as the procession marched past the office of that paper on King street.

## Great Concours.

On arrival at Emma Square the band entered and mounted the stand, while the procession made the circuit of the square on the outside. A great crowd was in waiting, which, with the parade and hundreds joining them on the route, packed the square. There were many ladies in the throng. It was estimated by men who had occasion to pass through the great concourse and opportunity to size it up (from the band stand that not less than three thousand persons were assembled. Yet, with the exception of a little stimulated barking on the outskirts at the beginning and the applause of often breaking out, the square was as quiet as the interior of a church during public worship. It was a splendid illustration of the orderly character of the Honolulu body politic, which certainly cannot be surpassed anywhere.

With Representative A. G. M. Robertson, chairman, appeared on the platform J. A. Kennedy, chairman Republican Territorial Committee, A. V. Gear, chairman Fourth District Committee; W. W. Harris, the gloriously elected of last Wednesday; Charles H. Wilson, chairman of the meeting committee; Judge A. N. Kepoiki, S. K. Kane, Lorrin Andrews, Abraham Lewis, John Kumahoe and, arriving later, T. McCants Stewart and Wm. Olapau.

Mr. Robertson opened the oratory by saying the ballots had been deposited and the votes counted, giving the most glorious victory the Republican party had gained since the beginning of the Territory. It was a demonstration that the party could rise above factional differences and jealousies, which gave assurance of a greater victory at the general election next fall. He then introduced the newly elected Representative for the Fourth District.

## The New Representative.

Mr. Harris was loudly cheered on coming forward and frequently applauded as he made the following remarks: "I take this opportunity to thank you all for the confidence you have expressed by your election of me as Representative of the Fourth District. I wish to thank you also on behalf of the Republican party, that you have demonstrated at the polls that the platform and principles of the party have the approval of the people of the Territory. The Republican party came before you on a platform which recognized the equality of all men. The party recognizes no clique or faction, it is a party wherein the rich man is no better than the poor man. Give the Republican party the power in this Territory and it will give you government for the benefit of all the people. We cannot legislate you wealth, but we can legislate you justice. If you give the Republican party a majority in the next Legislature you will live to rejoice that you were alive to cast a ballot for the good of the Territory."

We have a platform that will with stand the efforts and the tactics of a party that, to gain its ends, latched on to its name the name of the Republican party. A man said to me the other day that he did not believe national issues had anything to do with elections here. No man can say that and have any ground to stand on. We see a government in Washington with a surplus of millions in the Treasury and boundless prosperity throughout the nation. It is the tariff of the Republican party that has given such great wealth and prosperity. Where would this great wealth be were it not for the protection policy of the Republican party? Thanking you again for your support, I promise you that if occasion should arise when anything depends on my vote it will be cast for the good of the people.

Chairman Robertson observed that when it came to the pitch the Republican party could show a united front, there was no party in this Territory so homogeneous as the Republican party. Other parties were split up. Although they had heard of differences in the Republican party, it was the only party in the country that could buy its differences for the good of the country. He then introduced the next speaker.

Judge Kepoiki said they came before the people that evening to feel their pulse and congratulate them on the Republican victory. It had been remarked that Home Rulers and Democrats had thrown their votes to the Republican candidate, and that this had been the cause of his election. In that case he said he was glad to congratulate them that they had seen fit to vote the right ticket with the right party, the party of progress, which would always lead the way to prosperity.

## The Young Campaigner.

The chairman observed that the nomination and election of W. W. Harris showed the demand for young men in public life. Our work was just begun in this Territory. It was now our duty to organize our precinct clubs for the general election. This would call for hard and enthusiastic work. It was in the hands of the young Republicans to show what we could do. He then introduced Lorrin Andrews as one of the principal speakers of the successful campaign being celebrated, one of the able young men of the party.

Mr. Andrews would congratulate his fellow workers in the words of the great American Admiral on Lake Erie: "We have met the enemy and they are ours." He would congratulate the Home Rulers on the clean and democratic fight they had put up and the Democrats on their fair and open conduct. Most of all, they should congratulate themselves. In spite of the union of two parties against them in support of a candidate whose personal character was of the highest, and whose experience in the Legislature was a credit to himself and a benefit to the country, the Republicans found

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## AGREEMENT ENFORCED

ACHI MUST CANCEL MAILE MORTGAGE OR PAY MONEY

Judge Humphreys Signs an Order Disallow the Investment of Trust Funds in McBryde Bonds.

Judge Humphreys this morning signed the order approving the accounts of Alfred W. Carter, guardian of the estate of Annie T. K. Pariser, a minor, "except in one particular, namely, in respect to the investment of the sum of \$27,900 in bonds of the McBryde Sugar Company, Limited," and in that respect the guardian is ordered to be discharged with the amount so invested with interest at 6 per cent per annum from the date of investment. The guardian will appeal from the order and Judge Humphreys will file a written decision giving his reasons for the order.

Judge Robinson this morning granted the prayer of C. B. Maile for decree of specific performance against W. C. Achi, but exception to be stayed for ten days. It is to compel the defendant, upon failure to cancel a mortgage, to pay the plaintiff \$3000 and accrued interest.

Manuahi petitions that he be appointed administrator of the estate of Mita Manuahi, deceased, of whom the petitioner was the father. Ollwa the sister and both of them the heirs. The property is personal and valued at \$500.

By unanimous opinion of the Supreme Court, the decree of Judge Little in the equity suit of S. Tomikawa vs. P. Gama is affirmed. The Court below decreed specific performance of a contract for the sale of certain land at Oahu, Hawaii, after ascertaining the report of a master that the amount due on the contract by complainant to respondent was \$255.35. Justice Perry is the author of the opinion, the syllabus of which reads:

"In a suit for the specific performance of a contract for the sale of land held that, assuming that time was originally intended to be of the essence of the contract, the provisions in this respect were waived by the seller by the acceptance of installment payments on account of the purchase price after the time specified for their payment had passed."

Smith & Parsons for complainant; W. S. Wise and Fish & Thompson for respondent.

The transport Sheridan, Captain Pierce, sails for Manila this afternoon at 4 o'clock. There have been no cases of sickness aboard the vessel since she arrived in port and went into quarantine on account of a case of smallpox among the soldiers. The patient on quarantine island is doing well and is now on the road to recovery.

## THREE DAYS' LATER NEWS.

The Aorangi was telephoned off Koko Head at 1:25 p. m. She brings three days' later news, a full summary of which will appear in the Sunday Bulletin.

## S. S. SONOMA, APRIL 15,

Next express steamer to the Coast

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TEL. MAIN 199. Masonic Temple, with American Messenger Service.

## McBRYDE BONDS ARE GILTEDGE

Opinion of Geo. A. Davis, Master in Chancery, On Trust Funds.

REPORT TO JUDGE GEAR ON BISHOP ESTATE

Real Estate Dependent on Sugar Industry -- McBryde Minority Bondholders Are Not Without Protection.

George A. Davis, in the official capacity of a master in chancery, has rendered an opinion to Judge Gear that McBryde Sugar Company bonds furnish an eminently safe and wise investment of trust funds.

The report of the master is upon the annual account of the trustees of the Bernice Pauahi Bishop Estate. In the matter of the Banning estate, he says the Supreme Court of Hawaii laid down the rule "that in the absence of a statute limiting the class of securities in which trust funds may be invested, the court cannot undertake to direct what securities only a trustee may invest in so as to exonerate him in case of loss. This would trench upon legislative functions."

Mr. Davis considers it unfortunate that the Territory has no such directory statute, saying that England has one made in 1893 and Massachusetts has a law permitting trust funds to be invested in corporation bonds and stocks.

Taking up the investment of Bishop Estate funds in O. R. & L. Co. and McBryde Sugar Co. bonds, Mr. Davis says that the principal wealth of this country is derived from the cultivation and manufacture of sugar. He speaks of the large corporations formed to carry on the sugar industry and says they have acquired title to their lands in fee simple or have secured long leases, so that the prudent investor is amply protected against loss.

"The first mortgage bonds of these great corporations are, in my opinion, a safe investment," says the master. "The assets shown in the evidence taken by me on the several hearings and attached to this report can lead to but one conclusion, and that is that such investments are both permanent and safe."

Mr. Davis says the value of real estate is dependent upon sugar and "the real estate of this country would not be a safe investment if this great industry, by any unforeseen circumstances, was crippled or destroyed or rendered unprofitable."

With reference to the two securities in question, Mr. Davis is not hesitating in his conclusions. He says of the O. R. & L. Co. bonds:

"The bonds of the Oahu Railway & Land Company are redeemable in seven years, and in these times of great depression and scarcity of capital they stand a premium of from 4 to 5 per cent. An itemized statement of the assets of this company included in the deed of trust with the company's valuation thereon, is attached to this report. I also find from the evidence that the company is paying 6 per cent upon a capital of \$4,000,000. "I have no hesitation in recommending

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## Blasting Operations Did GREAT DAMAGE In Different Localities

Hundreds of people in the neighborhood of the Waikiki end of the harbor were startled between 6 and 7 o'clock this morning by three successive explosions and tremblings of the earth. Many persons living as far away as the Waikiki turn, on King street, were awakened by the terrible reports and felt their houses shake.

Those not familiar with the facts were at first inclined to think there had been some terrible explosion down town or perhaps an earthquake was in progress and threatening to bring their houses down about their ears.

People in the vicinity of the road cause of the noise and trembling, however, were well aware of what had taken place. They knew that it was no natural or accidental disturbance which was rattling dishes, smashing window panes, shaking houses, cracking walls and straining floors and roofs. They knew that where the Cotton Brothers' dredger is working on the Bishop Estate slip there was some unusually heavy blasting going on.

Three powerful blasts were made about 6:30 o'clock this morning near the Heanani boat house. The concussion was tremendous and

the sound was heard all over the city. Water, mud and coral were thrown into the air thirty and forty feet. Mud and coral were thrown over the land lying at the Heanani boat house, numerous small boats and yachts moored in that corner of the harbor and on the roofs of the Heanani boat house, the pilot house and the buildings connected with Lyle's marine railway.

People aboard the transport Sheridan, lying off the Inter-island wharf, were frightened by the noise and the concussion, and hastened to the decks to see what had occurred. Stewards who were busily engaged in the main saloon of the great ship, preparing the tables for breakfast, dropped what ever they had in their hands and made for the deck, half expecting that imminent old Diamond Head or Punchbowl was vomiting forth fire and lava, threatening the city and killing hundreds.

Dishes on the tables and sideboards rattled and a moment or so afterward the great ship seemed to be gently rolling as if in an easy swell.

Men who were going to work at the Union Iron Works, and who had just entered the brick and iron buildings

when the blasts went off, hurried from the structures as fast as their legs could carry them, for glass was falling thick around them and the buildings were shaking as if they were merely frail frame structures in a high wind.

When the damage done by the heavy blasts of this morning comes to be reckoned up, and all reports are in, several rather heavy bills for damages will be presented Cotton Brothers.

At the time of the blasting Mr. and Mrs. Charles Spinale were finishing their morning meal in a room upstairs in the red-painted frame building back of Lyle's marine railway.

The concussion of the first blast shook the whole house and the breakfasters sprang from their seats at the table. Mrs. Spinale heard the grrlor lamp rattling as if it was about to fall to pieces and, valuing the lamp, ran into the parlor to save it from destruction. Meanwhile the second blast was heard and a pommeling of bits of coral and lumps of mud on the metal roofing created anything but a reassuring noise. As Mrs. Spinale reached for her ornamental lamp the third

(Continued on page 5.)

## COME SEE OUR STUDIO

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